

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
March 8, 2009

Closed Session: yes

Call to Order: Meeting was called to order at: 9:42 a.m.

Opening Ceremony: Beatrice A. Law

Council Present: Legislative Leader Beatrice A. Law, Secretary Regina Gasco Bentley, Treasurer Gerald Chingwa, Councilor Dexter McNamara, Councilor Alice Yellowbank, Councilor Fred Harrington, Jr.

Absent: Councilor Marvin Mulholland, Councilor Melvin L. Kiogima

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Frank Ettawageshik, Vice-Chairman William Denemy, Rebecca Atkinson, Chief Financial Officer Valerie Tweedie, Human Resource Director Jodi Werner

Guests: Richard Wemigwase, Tootsie Keshick Miller, Sharon Sierzputowski, Roger Emery, Ken Harrington, Fred Kiogima, Carol McFall, Sheran Patton, John Keshick, Cathy Portman, Heidi Bosma, Mary Powers, Rita Shananaquet, Carla McFall. Dollie Keway

Motion made by Secretary Gasco Bentley and supported by Councilor Yellowbank to adopt the agenda with amendments for March 8, 2009.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Mulholland, Councilor Kiogima)

Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor McNamara to approve the minutes of February 22, 2009 with corrections.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Mulholland, Councilor Kiogima)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Yellowbank to ratify into the record the Phone Poll dated February 23, 2009 to Approve Confidential Memo #022209-01 presented to Tribal Council from Legislative Services Attorney Donna Budnick because of immediate deadline. The Phone Poll passed by a vote of 5-yes, 3-absent.

1 Vote: 5 - Yes, 1 - No (Councilor Harrington, Jr.), 0 - Abstained, 2 – Absent
2 (Councilor Mulholland, Councilor Kiogima)

3 Motion carried.

4
5 Motion made by Treasurer Chingwa and supported by Councilor McNamara to
6 ratify into the record the Phone Poll dated March 6, 2009 to approve the report
7 provide to Tribal Council on March 7, 2009 at 9:34a.m., to be submitted to Bank
8 of America regarding upcoming meeting on March 10, 2009 to meet for purpose
9 of an immediate deadline. The Phone Poll passed by a vote of 6 yes and 2
10 absent.

11 Vote: 5 - Yes, 1 - No (Councilor Harrington, Jr.), 0 - Abstained, 2 – Absent
12 (Councilor Mulholland, Councilor Kiogima)

13 Motion carried.

14
15 Tribal Elders Comments: Richard Wemigwase spoke regarding the Tribal Logo
16 use on jackets for the Elder's Association with regard to requesting the
17 permission for use from Tribal Council.

18
19 Motion made by Councilor Harrington, Jr., and supported by Councilor
20 Yellowbank to adopt Tribal Resolution: To License the Elder's Association to Use
21 the Tribal Logo.

22 Roll Call Vote: Councilor Harrington, Jr.-yes, Councilor Kiogima-absent,
23 Councilor McNamara-absent, Councilor Mulholland-absent, Councilor
24 Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes,
25 Legislative Leader Law-yes

26 Motion carried.

27
28 Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa
29 to declare a vacancy on Tribal Council.

30 Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Mulholland, Councilor
31 Kiogima)

32 Motion carried.

33
34 10:29 a.m. Councilor Kiogima arrived.

35
36 Motion made by Secretary Gasco Bentley and supported by Councilor
37 Yellowbank to post the vacancy to the Tribal Council position until March 20,
38 2009 in consideration for receipt of letters of interest.

39 Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

40 Motion carried.

41
42 10:36 a.m. Motion made by Councilor Harrington, Jr., and supported by
43 Councilor McNamara to go into closed session for confidential business.

44 Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

45 Motion carried.

46
47 11:38 a.m. Motion made by Councilor Harrington, Jr., and supported by
48 Treasurer Chingwa to go into open session.

1 Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)
2 Motion carried.

3
4 11:45 a.m. Public Comment opened: Carla McFall spoke regarding the Tribal
5 Citizen lay off situation in the Tribal Government. Roger Emery spoke regarding
6 his respect for Shirley Oldman and the hard task of filling the vacancy. Rita
7 Shananaquet thanked all people who have served on Tribal Council.

8 11:52 a.m. Public Comment closed.

9
10 Motion made by Secretary Gasco Bentley and supported by Councilor
11 Harrington, Jr., to accept Legislative Leader Law's verbal and written report with
12 confidential items contained therein.

13 Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

14 Motion carried.

15
16 12:02 p.m. Lunch recess called.

17 1:33 p.m. Meeting Reconvened. Councilor Kiogima absent.

18
19 1:39 p.m. Councilor Kiogima arrived.

20
21 Motion made by Councilor Harrington, Jr., and supported by Councilor
22 McNamara to acknowledge receipt of the Chairman's budget reduction plan and
23 shelve this plan as long as the casino can make its monthly payments to the
24 Tribal Government.

25 Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

26 Motion carried.

27
28 Motion made by Treasurer Chingwa and supported by Councilor Harrington, Jr.,
29 to accept the Secretary Bentley's verbal report for March 8, 2009.

30 Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

31 Motion carried.

32
33 Motion made by Councilor Kiogima and supported by Councilor McNamara to
34 accept Tribal Treasurer and Appropriations and Finance Committee Chairperson
35 Chingwa's verbal report for March 8, 2009.

36 Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

37 Motion carried.

38
39 Motion made by Councilor McNamara and supported by Treasurer Chingwa to
40 accept the Land and Reservation Committee Chairperson Kiogima's verbal
41 report for March 8, 2009.

42 Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

43 Motion carried.

44
45 Motion made by Treasurer Chingwa and supported by Councilor Kiogima to
46 accept Legislative Services Attorney Budnick's verbal report for March 8, 2009.

47 Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

48 Motion carried.

1
2 Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa
3 to pass Amendment to Waganakising Odawak Statute 2004-008 Gaming Board
4 of Directors.

5 Roll Call Vote: Councilor Harrington, Jr.-yes, Councilor Kiogima-yes, Councilor
6 McNamara-yes, Councilor Mulholland-absent, Councilor Yellowbank-yes,
7 Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-
8 yes

9 Motion carried.

10
11 Motion made by Treasurer Chingwa and supported by Secretary Gasco Bentley
12 to pass Waganakising Odawak Statute Land Use, Building Regulation, and
13 Zoning.

14 Roll Call Vote: Councilor Harrington, Jr.-no, Councilor Kiogima-yes, Councilor
15 McNamara-yes, Councilor Mulholland-absent, Councilor Yellowbank-yes,
16 Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-
17 yes

18 Motion carried.

19
20 3:01 p.m. Public Comment: John Keshick spoke regarding the housing guidelines
21 for the Elder's and other individual's housing restrictions. John also spoke
22 regarding the Economic Development Commission draft Statute with regard to
23 Bell's Fishery. John further spoke regarding the Natural Resource Commission
24 budget restraint regarding travel. Heidi Bosma spoke her concern regarding the
25 recently Tribal Council passed Child Welfare Statute. Rita Shananaquet spoke
26 regarding reduction of the Chief Financial Officer's duties and authority. Rita also
27 spoke regarding the posting of the Tribal Chairman's proposed budget proposal
28 especially regarding the Burial Fund. Rita further asked if Shirley Oldman's
29 complaint regarding snow day closure of the health clinic was looked into. Roger
30 Emery spoke regarding the possible removal of snow days with possibility to
31 increase PTO (personal time off) carryover allowance to accommodate it. Rita
32 Shananaquet spoke regarding the Tribal Chairman utilizing the Sinking Fund for
33 the Executive budget.

34 3:32 p.m. Public Comment closed.

35
36 3:32 p.m. Recess called.

37 3:45 p.m. Meeting Reconvened.

38
39 Motion made by Treasurer Chingwa and supported by Secretary Gasco Bentley
40 to pass the Sex Offender notification and Registration Statute.

41 Roll Call Vote: Councilor Harrington, Jr.-yes, Councilor Kiogima-absent,
42 Councilor McNamara-yes, Councilor Mulholland-absent, Councilor Yellowbank-
43 no, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader
44 Law-yes

45 Motion carried.

46
47 Motion made by Treasurer Chingwa and supported by Councilor McNamara to
48 pass the Sex Offense Statute.

1 Roll Call Vote: Councilor Harrington, Jr.-yes, Councilor Kiogima-absent,
2 Councilor McNamara-no, Councilor Mulholland-absent, Councilor Yellowbank-no,
3 Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-
4 yes

5 Motion carried.

6
7 Motion made by Councilor Yellowbank and supported by Councilor Harrington,
8 Jr., to pass the Gijigowi Anishinaabemowin Language Department Statute.

9 Roll Call Vote: Councilor Harrington, Jr.-yes, Councilor Kiogima-no, Councilor
10 McNamara-no, Councilor Mulholland-absent, Councilor Yellowbank-yes,
11 Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-
12 yes

13 Motion carried.

14
15 Motion made by Treasurer Chingwa to support the Educations Appeals Board
16 Statute.

17 Motion dies due to lack of support.

18
19 Motion made by Councilor Harrington, Jr., and supported by Councilor
20 McNamara to adopt Tribal Resolution: The Tribal Chairman stated copies of the
21 executive travel documents cannot be released therefore the line item for the
22 Tribal Chairman travel shall be reduced to zero for the FY 2009.

23 Roll Call Vote: Councilor Harrington, Jr.-yes, Councilor Kiogima-no, Councilor
24 McNamara-yes, Councilor Mulholland-absent, Councilor Yellowbank-no,
25 Treasurer Chingwa-no, Secretary Gasco Bentley-yes, Legislative Leader Law-no
26 Motion failed.

27
28 Motion made by Councilor Harrington, Jr., and supported by Secretary Gasco
29 Bentley to adopt Tribal Resolution: The Odawa Casino Resort is in Default on
30 Payments to the Tribal Government.

31 Roll Call Vote: Councilor Harrington, Jr.-yes, Councilor Kiogima-yes, Councilor
32 McNamara-yes, Councilor Mulholland-absent, Councilor Yellowbank-yes,
33 Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-
34 yes

35 Motion carried.

36
37 Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to
38 remove the Amendment to the Housing Commission draft Statute from the
39 Legislative Calendar.

40 Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

41 Motion carried.

42
43 4:55 p.m. Motion made by Councilor Harrington, Jr., and supported by Treasurer
44 Chingwa to adjourn.

45 Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

46 Motion carried.

1
2
3
4 These Minutes have been read and approved as written (or) corrected: (delete
5 either the word "written" or "corrected" as pertains to how the minutes were
6 approved.)
7
8
9

10 _____
11 Regina Gasco Bentley, Tribal Council Secretary

Date